

---

Testimony of  
**DOUG MORRIS**  
**DIRECTOR OF SECURITY OPERATIONS**  
**OWNER-OPERATOR INDEPENDENT DRIVERS ASSOCIATION**

Before the  
  
**COMMITTEE ON HOMELAND SECURITY**  
**SUBCOMMITTEE ON TRANSPORTATION SECURITY**  
**UNITED STATES HOUSE OF REPRESENTATIVES**

Regarding  
  
*TSA'S SURFACE INSPECTION PROGRAM: STRENGTHENING  
SECURITY OR SQUANDERING SCANT RESOURCES?*

***MAY 31, 2012***

\*\*\*\*\*

On behalf of



**Owner-Operator Independent Drivers Association**  
**1 NW OOIDA Drive**  
**Grain Valley, Missouri 64029**  
**Phone: (816) 229-5791**  
**Fax: (816) 427-4468**

---

Good afternoon Chairman Rogers, Ranking Member Jackson Lee and distinguished members of the subcommittee. Thank you very much for inviting me to testify this afternoon on the subject of surface transportation security. My name is Doug Morris and I have been involved with transportation safety and security for over 30 years and currently serve as the Director of Safety and Security Operations for the Owner-Operator Independent Drivers Association (OOIDA). I also represent the Association as the Vice Chairman of the Department of Homeland Security's Highway Motor Carrier Sector Coordinating Council. Prior to joining the staff at OOIDA I was employed as a Maryland State Trooper - retiring in 2009 after 28 years of service. During my tenure with the Maryland State Police, I served as the Assistant Commander of the Commercial Vehicle Enforcement Division as well as the Commander of the Transportation Security Section and Transportation Safety Division. I have received over 500 hours in advanced training in the transportation and handling of hazardous, radioactive and biological materials as well as emergency management, disaster assistance and incident command.

The Owner Operator Independent Drivers Association is the international trade association representing the interests of small business trucking professionals and professional drivers on all matters that affect the trucking industry. OOIDA currently has more than 150,000 members who collectively own and operate over 200,000 individual heavy-duty trucks nationwide. Small-business trucking companies dominate the industry with approximately 93% of U.S. motor carriers operating 20 or fewer trucks in their fleets, 78% operating 5 or fewer trucks and roughly half of the motor carriers registered with the Federal Motor Carrier Safety Administration having fleets of just 1 truck. Considering that 69 percent of freight tonnage in the United States is moved by truck, and the bulk of that is by small business truckers, OOIDA and its members have a unique perspective on a variety of facets of the infrastructure system. It makes sense for the US government to partner with small businesses to act as the eyes and ears in the interest of furthering national security. It should also be noted that over 40% of OOIDA's members have prior military service and as a group are steadfastly patriotic. As such, involving the trucking community, specifically the men and women who make their living behind the wheel, is a natural fit as they simply want to be involved and with the proper training these individuals add tremendous value to securing our nation's infrastructure.

First Observer is a program that helps promote the security of our transportation infrastructure by enabling the sharing of information from well-trained and concerned professionals who have the capacity to observe, assess and report risks and potential security breaches. As you may be aware, the program was originally created by the TSA's Highway Motor Carrier Division when private infrastructure security professionals observed a need and desire for such a program and worked to initiate the program almost immediately. OOIDA was among the first supporters and helped secure the viability of the exceptional opportunity by obtaining a trademark for the First Observer name and logo. Through trademarking and securing the brand, we not only helped to ensure that the program is officially recognized and helped raise

awareness, but it also gave the TSA the ability to have control over the brand for future use so that it may seamlessly continue under the current name and not be subject to rebranding based on changing or evolving participants. In short, it gave the program foundation and continuity from the inception so that it has a better chance of success. Branding and re-branding has been problematic for similar programs – including the predecessor to First Observer. So, solving this simple problem was a necessary and important first step in order to make it recognizable, reliable, and trustworthy in eyes of both transportation industry and homeland security professionals.

As an association that has been in existence for nearly 40 years representing the men and women of the professional truck driving community, OOIDA brings to the program its unique perspective and experience in safety and security to help facilitate a dialogue between trucking, law enforcement and other transportation/security professionals in the identification of areas where specific security training should be conducted. As a result of this dialogue and our input, training modules have been developed and implemented to enhance participation from those professionals who best know their working environment and who have a particular vantage point to best report suspicious activity that may have been overlooked in the past.

As you are likely aware, currently there are 12 training modules in operation which address the following topics: Trucking and Motor Coach, School Bus, Intra and Inter City bus, Law Enforcement, Highway Workers, Critical Infrastructure Protection Professionals, Ports, Hazmat, Cargo, Truck Rental, Parking and Event Staff and Food Safety and Security. The purpose for developing these as individual training modules was to directly address areas that were of specific concern in the counter-terrorism field. Recent success stories of the program include a foiled hijacking of a motor coach traveling between Arlington, Virginia, and Durham, North Carolina; the disruption of a Texas bomb plot targeting former President George W. Bush; and foiled plots against power plants along the West Coast. All of these successes validate the First Observer mission. If not for a transportation professional that knew their business and knew that something was suspicious about numerous deliveries of hazardous materials to a private residence, a terrorist act on US soil may have resulted.

Since OOIDA's involvement with this program, we have learned that transportation professionals are more receptive to individuals who have distinct knowledge and firsthand experience of their industry. Previous training programs in this area were flawed as they tended not to be geared toward the end user. In the past participants may have been involved in a previous homeland security presentation or training, but did not feel that the training addressed their needs or concerns and the instructors had little or no knowledge of their industry. In short, OOIDA knows trucking and can communicate with the men and women who comprise the truck driving community in the US. We know that many of these professionals, who are working daily within a variety of surface transportation venues, feel a tremendous sense of pride and duty as a participant in First Observer. They feel as if they are a part of a public/private sector cooperative that is vital to helping protect the infrastructure that millions, including themselves, rely heavily

upon to meet their most basic needs. They know that the training that they received was geared specifically toward their industry and was produced by professionals in their line of work in coordination with law enforcement and counter terrorism professionals who have been brought together under one roof. This program takes trucking seriously and in return, truckers are taking it seriously and helping to make this program a success.

To the best of my knowledge, the First Observer program has far exceeded TSA's expectations and has been recently moved from the former Highway Motor Carrier Division of TSA to the Surface Transportation Division, a sign of its integral role in the Department's broad mission. The program has been endorsed by 137 industry and affiliate associations and organizations.

Despite these successes, the program faces near and long term challenges. First Observer has been operating under a no cost extension since January 1, 2012. Broader budgetary challenges throughout the Federal government, from the recent history of funding DHS activities through continuing resolutions or delayed appropriations bills to unbalanced funding and resource priorities within DHS, especially the TSA, threaten the program's ability to meet its requirements from the Department.

Allowing this program to falter would send a clear message to surface transportation professionals that TSA places much greater value on other transport modes and their mode as unimportant if not irrelevant. It is widely known that the lion's share of funding within TSA is allocated towards the aviation sector and relatively little is dedicated to the surface transportation arena where the economic and other costs of a homeland security incident could far exceed those that this nation suffered on September 11, 2001. Congress has an opportunity to address this imbalance and ensure needed prioritization within TSA.

One of the major benefits First Observer has is its flexibility, and I would like to offer a few examples. The first was the program's ability to train dozens of parking lot attendants working the 2012 Super Bowl in Indianapolis. Our training ensured that these workers, many of whom were hired on a temporary basis, were on watch during one of our Nation's highest profile public events.

In the same vein, First Observer training has been given to numerous airport service personnel throughout the country as many had no training in what to observe, assess or report related to surface transportation in their environment. With continued or additional funds to the program it could be easily expanded to all aspects of surface transportation specifically, in areas of concern such as the rail sector, public utilities and any other venue that could become a target of future terrorist acts. These are areas where we should continue to expand and improve upon the continued successes of the First Observer program.

It is more cost effective to be proactive as opposed to being reactive and throwing money at something to attempt to secure it at all costs. Training our Nation's collective surface

transportation personnel on what to observe, assess and report in their areas of expertise would help homeland security's overall mission.

Thank you very much for your time. I am happy to answer any questions you may have.